

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

August 3, 2005

IN RE:

NOTICE OF ELECTION OF INTERCONNECTION  
AGREEMENT OF KMC DATA LLC OF ITS  
ADOPTION OF THE INTERCONNECTION  
AGREEMENT BETWEEN BELL SOUTH AND  
LEVEL 3 COMMUNICATIONS, L.L.C.

DOCKET NO.  
05-00067

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ORDER ACCEPTING WITHDRAWAL OF PETITION

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This matter came before Director Deborah Taylor Tate, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this Docket, at a regularly scheduled Authority Conference held on June 27, 2005 for consideration of the request to withdraw without prejudice filed by KMC Data LLC ("KMC" or the "Company") on June 2, 2005

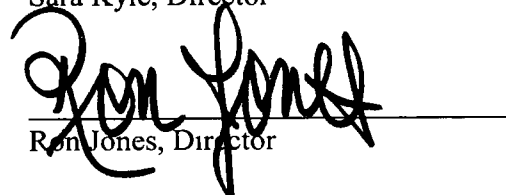
On March 10, 2005, the Company filed a *Notice of Election of Interconnection* ("Notice") seeking TRA approval to adopt the Interconnection Agreement between BellSouth Telecommunications, Inc. and Level 3 Communications LLC. On June 2, 2005, KMC filed its request to withdraw the *Notice* without prejudice

During the Authority Conference held on June 27, 2005, upon consideration of the entire record in this matter, the panel voted unanimously to accept the Company's request to withdraw. The panel also voted unanimously to order the Company to provide to the Authority, within thirty (30) days of the June 27, 2005 Authority Conference, proof that it is authorized to do business within the State of Tennessee

IT IS SO ORDERED.

  
Deborah Taylor Tate, Director

  
Sara Kyle, Director

  
Ron Jones, Director